

Remarks/Arguments:

Claims 1-27 are pending in the application, and claims 21-27 are withdrawn from consideration. Applicants thank the Examiner for discussing this application with Frank Tise on February 18, 2010. Discussion included consideration of whether the cited combination of Isakson in view of Dyke would change the principle of operation of Isakson's invention, but no agreement was reached. The Examiner also clarified that the rejection is based on an assertion that it would have been obvious to replace the graphite-containing pressure-sensitive adhesive layer of Isakson's package with a film made of a water-soluble material of the type that Dyke uses as a dispersed phase in his films. No agreement was reached relating to obviousness.

Rejection of Claims

Claims 1-20 are rejected under 35 USC § 103(a) as unpatentable over U.S. 4,640,838 ("Isakson") in view of U.S. 4,515,841 ("Dyke"). The rejection notes that Isakson teaches a vent opening that is covered by a tape that has a layer that is weakened by heating during microwave cooking of food (Figure 4, Example 1).

Isakson does not teach the use of a water-soluble barrier layer as recited in Applicants' claims, and the Office Action relies upon Dyke to provide this missing feature. The rejection asserts that it would have been obvious to replace the graphite-containing pressure-sensitive adhesive layer in Isakson's package with a film made of one of Dyke's water-soluble materials.

Claim 1 is amended to recite a water-soluble barrier layer extending over the entire surface of the substrate layer. Support can be found in the application on page 11 at line 20. Modification of Isakson's package as proposed in the Office Action would not have provided a composite film as recited in claim 1 and its dependents, because it would not have provided a layer extending over the entire surface of the substrate. Instead, it would have provided a water-soluble barrier layer extending over only a portion of the thermoplastic film substrate that is ultimately vented (see features 18, 34 and 52 in Figures 2, 4 and 6, respectively). Since not all of the claim elements are provided by the cited combination of Isakson and Dyke, prima facie obviousness has not been established and Applicants respectfully submit that the rejection has been overcome.

Other Amendments

Applicants have amended several of the claims to provide proper antecedent basis and for improved clarity. No new matter has been added.

Applicants respectfully request reconsideration and allowance of the pending claims, and invite the Examiner to contact their representative, Frank Tise, if it appears that this may expedite examination.

Respectfully submitted,



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